

5. Place the jurat at the left of the page.
6. Add a line for the notary's signature.
7. Word the endorsement according to what the affidavit might be "Affidavit in Opposition" or "Affidavit in Support" or some other subject. If another paper is filed with the affidavit, the endorsement will also include that paper.
8. After approval by the lawyer, have the affiant sign the affidavit.
9. Notarize the original, and make an original for the opposing counsel, and a copy for your file.

See Figure 14.12 for an affidavit in opposition prepared.

MOTIONS OR ASSENTED TO MOTIONS (STIPULATIONS)

14.31. Analysis of a Stipulation

Attorneys for opposing parties frequently make agreements during certain phases of a lawsuit. The agreement might be an agreement with the opposing counsel, such as an extension of the time for pleading, if that is permitted in the jurisdiction without a court order, or be an agreement that will save time in court, such as an agreement on certain facts.

These agreements between counsel are called stipulations. A stipulation is usually an agreement among the attorneys for a case or action. It could settle a case or one or more issues in a case, or simply an agreement between the attorney for the plaintiff and the attorney for a defendant, the other parties defendant not being present at the stipulation.

Simple motions that do not dispose of the case or a motion for summary judgment will normally be granted by the court without hearing. Some state court rules require that the movant (the party making the motion) certify that he or she has sought agreement from the opposing party for the motion except one that would dispose of the case. (S

Exhibit 13